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**FAX TRANSMISSION****DATE:** April 27, 2005**PTO IDENTIFIER:** Application Number 10/810,741**Inventor:** Donald B. Borders**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**FROM:** DARBY & DARBY P.C.

Jeffrey C. Pepe

**PHONE:** (206) 262-8900**Attorney Dkt. #:** 20343/1202370-US2**PAGES (Including Cover Sheet):** 11**CONTENTS:** Certificate of Transmission (1 page)  
Revocation of Power of Attorney or Authorization of Agent (1 page)  
Statement under 37 CFR 3.73(b) (1 page)  
Copy of Assignments (7 pages)

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PTO/SB/97 (09-04)

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Application No. (if known): 10/810,741

Attorney Docket No.: 20343/1202370-US2

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on April 27, 2005  
Date



Signature

Linda Povinelli

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Revocation of Power of Attorney or Authorization of Agent (1 page)  
Statement under 37 CFR 3.73(b) (1 page)  
Copy of Assignments from parent application (7 pages)

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CENTRAL FAX CENTER**

APR 27 2005

PTO/SB/82 (09-04)

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<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10/810,741
	Filing Date	March 26, 2004
	First Named Inventor	Donald B. Borders
	Art Unit	
	Examiner Name	
	Attorney Docket Number	20343/1202370-US2 (425C1)

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 07278

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

07278

OR

☐ Firm or  
Individual Name

DARBY & DARBY P.C.

Address

City

Country

State

Zip

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature

*Richard Coulson*

Name

Richard Coulson, VP, Micrologix Biotech Inc.

Date

*8 - April - 2005*

Telephone

604-221-9666

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐

\*Total of 1 forms are submitted.

{S:\20343\Inventors\80023717.DOC \*20343INVENTORS\* }

1

PTO/SB/96 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Donald B. Borders et al.Application No./Patent No.: 09/948,374 Filed/Issue Date: September 6, 2001Entitled: EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICSMicrologix Biotech Inc.  
(Name of Assignee)a corporation  
(Type of Assignee, e.g., corporation, partnership,  
university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
 2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above.  
 The assignment was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the  
 current assignee as shown below:

1. From: Donald B. Borders et al. To: Biosource Pharm, Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

2. From: Biosource Pharm, Inc. To: Intrabiotics Pharmaceuticals, Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached

3. From: Intrabiotics Pharmaceuticals, Inc. To: Micrologix Biotech Inc.

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

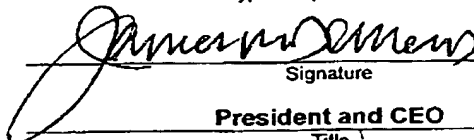
☒ Copies of assignments or other documents in the chain of title noted in B above are  
 attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be  
 submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records  
 of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

16 September 2002  
 Date

James M. DeMesa, M.D., MBA  
 Typed or printed name

  
 Signature

President and CEO  
 Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

299930 [09-14-01]

**COPY****ASSIGNMENT**

WHEREAS, we, **Donald B. Borders**, having the mailing address of 13 Heatherhill Lane, Suffern, New York 10901, **Noreen D. Francis**, 12 Brookside Drive West, Harriman, New York 10926, and **Amedeo A. Fantini**, having the mailing address of 2 The Glen, New City, New York 10956 (hereinafter referred to as **ASSIGNORS**), are the joint inventors of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specification for which an application for United States letters patent was filed on September 6, 2001 and assigned Application No. 09/948,374, which application claims the benefit of Provisional Application No. 60/286,254, filed on April 24, 2001. This application is a continuation-in-part application of U.S. Patent Application No. 09/760,328, filed January 12, 2001, which claims the benefit of Provisional Application No. 60/219,059, filed on July 17, 2000 and Provisional Application No. 60/220,950, filed July 26, 2000.

WHEREAS, **BioSource Pharm, Inc.** (hereinafter referred to as **ASSIGNEE**), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977 is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, **ASSIGNORS** hereby sell, assign and transfer unto said **ASSIGNEE** the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of **ASSIGNEE** and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by **ASSIGNEE** and its successors and assigns as fully and entirely as the same would have been held and enjoyed by **ASSIGNORS** had this assignment, transfer and sale not been made. **ASSIGNORS** hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to **ASSIGNEE**. **ASSIGNORS** agree to execute all instruments and documents required for the making and prosecution of applications for United

Application No. 09/948,374

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Date July 17, 2002

Donald B. Borders  
Donald B. Borders

State of New York

County of Rockland

ss.

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 17, 2002

Signature of Notary Public Estrella C. Bazien

Printed Name ESTRELLA C. BAZIEN

My appointment expires 10/31/2002

ESTRELLA C. BAZIEN  
Notary Public, State of New York  
4522290  
Qualified in Rockland County  
Commission Expires 10/31/02

Date July 17, 2002

Noreen D. Francis  
Noreen D. Francis

State of New York

County of Orange

ss.

I certify that I know or have satisfactory evidence that Noreen D. Francis is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated July 17, 2002

Signature of Notary Public Estrella C. Bazien

Printed Name ESTRELLA C. BAZIEN

My appointment expires 10/31/2002

ESTRELLA C. BAZIEN  
Notary Public, State of New York  
4522290  
Qualified in Rockland County  
Commission Expires 10/31/02

Application No. 09/948,374

July 17, 2002  
Date

Amedeo A. Fantini  
Amedeo A. Fantini

State of NEW YORK  
County of ROCKLAND

ss.

I certify that I know or have satisfactory evidence that Amedeo A. Fantini is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.


ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

Dated July 17, 2002  
Signature of Estrella C. Bazlen  
Notary Public  
Printed Name ESTRELLA C. BAZLEN  
My appointment expires 10/31/02

(JCP:imp) 299906

**COPY****ASSIGNMENT**

WHEREAS, BioSource Pharm, Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of New York having a place of business at 135 Route 59 East, Spring Valley, New York 10977, is the owner of record of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Parent Patent Number	Attorney Docket Number
09/948,374	September 6, 2001	<i>this space intentionally left blank</i> 	660081.425
PCT/US02/00796	January 10, 2002		660081.425PC
60/286,254	April 24, 2001		660081.425P1
09/760,328	January 12, 2001		660081.424
PCT/US01/22352	July 17, 2001		660081.424PC
60/219,059	July 17, 2000		660081.424P1
60/220,950	July 26, 2000		660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention;

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for

660081.425

1 of 2



litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

BIOSOURCE PHARM, INC.

July 19, 2002  
Date

By Donald B. Borders  
Donald B. Borders, Ph.D.  
Its President

State of New York )  
County of Rockland ) ss.

I certify that I know or have satisfactory evidence that Donald B. Borders is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President of BioSource Pharm, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated July 19, 2002  
Signature of Estrella C. Bazlen  
Notary Public ESTRELLA C. BAZLEN  
Printed Name 10/31/02  
My appointment expires

ESTRELLA C. BAZLEN  
Notary Public, State of New York  
4622290  
Qualified in Rockland County  
Commission Expires 10/31/02

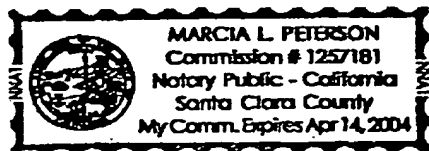
INTRABIOTICS PHARMACEUTICALS, INC.

8-12-02  
Date

By Ernest Mario  
Ernest Mario, Ph.D. Henry Fuchs MD  
Its Chairman and CEO President and COO

State of California )  
County of Santa Clara ) ss.

I certify that I know or have satisfactory evidence that Ernest Mario is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the Chairman and CEO of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.



Dated 8/12/02  
Signature of Marcia L. Peterson  
Notary Public Marcia L. Peterson  
Printed Name April 14, 2004  
My appointment expires

**COPY****ASSIGNMENT**

WHEREAS, IntraBiotics Pharmaceuticals, Inc. (hereinafter referred to as ASSIGNOR), a corporation of the State of Delaware, having a place of business at 1245 Terra Bella Avenue, Mountain View, California 94043, is the owner of record of an invention entitled "EXTRACTIVE PURIFICATION OF LIPOPEPTIDE ANTIBIOTICS," as described and claimed in the specifications for which an applications were filed as follows:

U.S. Parent Application or PCT Parent Number	Parent Filing Date	Attorney Docket Number
09/948,374	September 6, 2001	660081.425
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60/286,254	April 24, 2001	660081.425P1
09/760,328	January 12, 2001	660081.424
PCT/US01/22352	July 17, 2001	660081.424PC
60/219,059	July 17, 2000	660081.424P1
60/220,950	July 26, 2000	660081.424P2

and is desirous of assigning to the Assignee its right title and interest in the invention;

WHEREAS, Micrologix Biotech Inc. (hereinafter referred to as ASSIGNEE), a corporation of the Province of British Columbia, in the country of Canada, having a place of business at 3650 Wesbrook Mall, Vancouver, British Columbia V6S 2L2, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefore in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests that any and all letters patent on said invention be issued to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for

660081.425

1 of 2

U.S. Patent Application No. 09/948,374

litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

INTRABIOTICS PHARMACEUTICALS, INC.

g.w.or  
Date

By Henry J. Fuchs  
Henry J. Fuchs, M.D.  
Its President and Chief Operating Officer

State of California )  
 )  
County of Santa Clara ) ss.

I certify that I know or have satisfactory evidence that Henry J. Fuchs is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and Chief Operating Officer of IntraBiotics Pharmaceuticals, Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.



Dated August 20, 2002  
Signature of Marcia L. Peterson  
Notary Public  
Printed Name Marcia L. Peterson  
My appointment expires April 14, 2004

MICROLOGIX BIOTECH INC.

September 16, 2002  
Date

By James M. DeMesa  
James M. DeMesa, M.D., MBA  
Its President and CEO

Province of British Columbia )  
 )  
Country of Canada ) ss.

I certify that I know or have satisfactory evidence that James M. DeMesa is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument, and acknowledged it as the President and CEO of Micrologix Biotech Inc. to be the free and voluntary act of said corporation for the uses and purposes mentioned in the instrument.

Dated Sept. 16, 2002  
Signature of Gerrit J. Te Hennepe  
Notary Public  
Printed Name  
My appointment expires

does not

**GERRIT J. TE HENNEPE**  
NOTARY PUBLIC  
203 - 4545 WEST 16TH AVENUE  
VANCOUVER, B.C. V6R 4N2

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(JCP:imp)

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